

18, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2366. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: Chesapeake Bay, Patapsco River, Inner Harbor, Baltimore, Maryland" (Docket 05-99-009) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2367. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; ID48 Chesapeake Grand Prix Distance Race" (Docket 05-99-013) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2368. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Western Branch, Elizabeth River, Portsmouth, Virginia" (Docket 05-99-010) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2369. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Change-of-Gauge Services" (RIN2105-AC17) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2370. A communication from the Attorney-Advisor, Bureau of Transportation Statistics, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision to Reporting Requirements for Motor Carriers of Property and Household Goods" (RIN2139-AA05) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2371. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Child Restraint Systems; Child Restraint Anchorage Systems" (RIN2127-AG50) received on March 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2372. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes" (Docket 98-CE-73-AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2373. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 757-200 Series Airplanes" (Docket 98-NM-238-AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2374. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthi-

ness Directives; McDonnell Douglas Model DC-10 and MD-11 Series Airplanes, and KC-10 (Military) Series Airplanes" (Docket 98-NM-55-AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2375. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Short Brothers Model SD3-60 and SD3-60 SHERPA Series Airplanes" (Docket 97-NM-106-AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2376. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class D Airspace and Class E Airspace and Establishment of Class E Airspace; Kenosha, WI" (Docket 98-AGL-62) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2377. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Restricted Areas R-2531A and R-2531B, Establishment of Restricted Area R-2531, and Change of Using Agency, Tracy, CA" (Docket 98-AWP-30) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2378. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 and A300-600 Series Airplanes" (Docket 98-NM-106-AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2379. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A320 Series Airplanes" (Docket 98-NM-105-AD) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2380. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Commission, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class D Airspace and Class E Airspace and Establishment of Class E Airspace; Rapid City, SD" (Docket 98-AGL-64) received on March 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC-2381. A communication from the Deputy Assistant Administrator, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Request for Proposals for the Global Ocean Ecosystems Dynamics Project" (RIN0648-ZA53) received on March 10, 1999; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-22. A resolution adopted by the Commission of the City of Margate, Florida, rel-

ative to the rights of freedom of speech and association of candidates for office; to the Committee on the Judiciary.

POM-23. A resolution adopted by the Legislature of the State of Nebraska; to the Committee on the Judiciary.

LEGISLATIVE RESOLUTION 10

Whereas, the delegates to the 1788 Constitutional Convention discussed whether the term of office for a representative should be one year or three years and compromised on a two-year term; and

Whereas, communications systems and travel accommodations have improved over the last two hundred years which allows quicker and easier communication with constituents and more direct contact; and

Whereas, the American people would be better served by having the members of the House of Representatives focus on issues and matters before the Congress rather than constantly running a campaign; and

Whereas, a biennial election of one-half of the Members of the House of Representatives would still allow the American people to express their will every two years. Now therefore, be it

Resolved by the Members of the Ninety-Sixth Legislature of Nebraska, First Session:

1. That the Legislature hereby petitions the Congress of the United States to propose to the states an amendment to Article I, section 2, of the United States Constitution that would increase the length of the terms of office for members of the House of Representatives from two years to four years with one-half of the Member's terms expiring every two years.

2. That official copies of this resolution be prepared and forwarded to the Speaker of the House of Representatives and President of the Senate of the Congress of the United States and to all Members of the Nebraska delegation to the Congress of the United States, with the request that it be officially entered in the CONGRESSIONAL RECORD as a memorial to the Congress of the United States.

3. That a copy of the resolution be prepared and forwarded to President William J. Clinton.

POM-24. A resolution adopted by the Legislature of the State of Wyoming; to the Committee on Governmental Affairs.

Whereas, the U.S. Constitution requires an actual enumeration of the population every ten years, and entrusts Congress with overseeing all aspects of each decennial enumeration;

Whereas, the sole constitutional purpose of the decennial census is to apportion the seats in Congress among the several states;

Whereas, an accurate and legal decennial census is necessary to properly apportion U.S. House of Representatives seats among the 50 states and to create legislative districts within the states;

Whereas, an accurate and legal decennial census is necessary to enable states to comply with the constitutional mandate of drawing state legislative districts within the states;

Whereas, Article 1, Section 2 of the U.S. Constitution, in order to ensure an accurate count, and to minimize the potential for political manipulation, mandates an "actual enumeration" of the population, which requires a physical headcount of the population and prohibits statistical guessing or estimates of the population;

Whereas, Title 13, Section 195 of the U.S. Code, consistent with this constitutional

mandate, expressly prohibits the use of statistical sampling to enumerate the U.S. population for the purpose of reapportioning the U.S. House of Representatives;

Whereas, legislative redistricting conducted by the states is a critical subfunction of the constitutional requirement to apportion representatives among the states;

Whereas, the United States Supreme Court, in No. 98-404, *Department of Commerce, et al. v. United States House of Representatives, et al.*, together with No. 98-564, *Clinton, President of the United States, et al. v. Glavin, et al.* ruled on January 25, 1999 that the Census Act prohibits the Census Bureau's proposed uses of statistical sampling in calculating the population for purposes of apportionment;

Whereas, in reaching its findings, the United States Supreme Court found that the use of statistical procedures to adjust census numbers would create a dilution of voting rights for citizens in legislative redistricting, thus violating legal guarantees of 'one-person, one-vote';

Whereas, consistent with this ruling and the constitutional and legal relationship of legislative redistricting by the states to the apportionment of the U.S. House of Representatives, the use of adjusted census data would raise serious questions of vote dilution and violate 'one-person, one-vote' legal protections, thus exposing the State of Wyoming to protracted litigation over legislative redistricting plans at great cost to the taxpayers of the State of Wyoming, and likely result in a court ruling invalidating any legislative redistricting plan using census numbers that have been determined in whole or in part by the use of random sampling techniques or other statistical methodologies that add or subtract persons to the census counts based solely on statistical inference;

Whereas, consistent with this ruling, no person enumerated in the census should ever be deleted from the census enumeration;

Whereas, consistent with this ruling, every reasonable and practical effort should be made to obtain the fullest and most accurate count of the population as possible, including appropriate funding for state and local census outreach and education programs; as well as a provision for post census local review; Therefore be it

Resolved, That the Wyoming State Legislature calls on the Bureau of the Census to conduct the 2000 decennial census consistent with the aforementioned United States Supreme Court ruling and constitutional mandate, which require a physical headcount of the population and bars the use of statistical sampling to create, or in any way adjust the count; be it further

Resolved, That the Wyoming State Legislature opposes the use of P.L. 94-171 data for state legislative redistricting based on census numbers that have been determined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statistical methodologies that add or subtract persons to the census counts; be it further

Resolved, That the Wyoming State Legislature demands that it receive P.L. 94-171 data for legislative redistricting identical to the census tabulation data used to apportion seats in the U.S. House of Representatives consistent to the aforementioned United States Supreme Court ruling and constitutional mandates, which requires a physical headcount of the population and bars the use of statistical sampling to create, or in any way adjust the count; be it further

Resolved, That the Wyoming State Legislature urges Congress, as the branch of govern-

ment assigned the responsibility of overseeing the decennial enumeration, to take whatever steps are necessary to ensure that the 2000 decennial census is conducted fairly and legally; and be it further.

Resolved, That a copy of this Resolution be transmitted to the Speaker of the U.S. House of Representatives, Majority Leader of the U.S. Senate, Vice President and the President of the United States.

POM-25. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Governmental Affairs.

SENATE JOINT RESOLUTION NO. 4

Whereas, Few environmental challenges have proven more daunting than the problems posed by high-level nuclear waste; and

Whereas, The proposed Nuclear Waste Policy Act of 1999 is a disastrous response to these problems and if enacted would attack state authority, create massive taxpayer liabilities and unwisely require an "interim" storage facility for high-level nuclear waste which would directly threaten the environment; and

Whereas, By requiring construction of an "interim" storage facility at the Nevada Test Site, the proposed Nuclear Waste Policy Act of 1999 would require the unprecedented shipment of high-level nuclear waste through 43 states endangering the lives of fifty million American citizens who live within one-half mile of the proposed transportation routes; and

Whereas, Although there is the expectation that high-level waste at reactors will eventually have to be moved, the provisions of the Nuclear Waste Policy Act of 1999 exacerbate the risk of this dangerous activity; and

Whereas, Despite the serious flaws with the proposed Yucca Mountain site, studies are being conducted to determine whether the site is capable of hosting a permanent repository for high-level nuclear waste, but if enacted, the Nuclear Waste Policy Act of 1999 would prejudice those studies by explicitly revoking federal regulations that establish guidelines for determining the suitability of the site; and

Whereas, Upon the revocation of such regulations, requirements for establishing the characteristics of the site, such as the time it takes for water to travel and climactic stability, would be eliminated, thereby undermining the integrity of any determination regarding the suitability of the site for the storage of high-level nuclear waste; and

Whereas, A major cause for concern in designating the Nevada Test Site as the "interim" storage facility is the high seismic activity that has been taking place in the area, including seven earthquakes just last month at 3.0 or greater with three jolts recorded at a magnitude of between 4.3 and 4.7 that struck at the eastern edge of the site; and

Whereas, Geologists have expressed concern over this seismic activity stating that these recent earthquakes are part of a swarm of tremors that have occurred along the Rock Valley Fault zone, including a 5.8 magnitude quake on June 29, 1992, at Little Skull Mountain, which knocked out windows, cracked walls and brought down ceiling panels at a fields operations center approximately 12 miles from the site of the proposed repository; and

Whereas, Federal law directs the Environmental Protection Agency to enact regulations to protect the environment from repository radiation releases, but the Nuclear Waste Policy Act of 1999 prohibits all efforts of the Environmental Protection Agency to carry out this responsibility; and

Whereas, The reality is that the Nuclear Waste Policy Act of 1999 would create a single performance standard that would allow annual radiation exposures of up to 100 millirems to an average member of the surrounding population, a level four times the amount allowed by regulation for storage facilities; and

Whereas, The Nuclear Waste Policy Act of 1999 contains broad preemptions for environmental legislation including a provision stating that any state or local law that is "inconsistent" with the requirements of the proposed Act is preempted; and

Whereas, This proposed Act does not allow the Environmental Impact Statement to question the size, need or timing of any "interim" storage facility nor does it allow any questions relating to alternative locations or design criteria; and

Whereas, The proposed "interim" storage facility site will have a capacity of 40,000 MTUs which is sufficient space to store all of today's commercial nuclear waste and the license is to be a 100-year renewable license which suggests that this proposed "interim" storage facility is expected to become permanent; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, (jointly), That the members of the 70th session of the Nevada Legislature do hereby urge the Congress of the United States not to enact the Nuclear Waste Policy Act of 1999, H.R. 45; and be it further

Resolved, that the Nevada Legislature is opposed to any further consideration of the use of the Nevada Test Site as a national site for the disposal of high-level nuclear waste; and be it further

Resolved, that the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, that the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, that this resolution becomes effective upon passage and approval.

POM-26. A resolution adopted by the House of the Legislature of the Commonwealth of the Northern Mariana Islands; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 11-126

Whereas, the Covenant to establish the Commonwealth of the Northern Mariana Islands (Commonwealth) in political union with the United States of America was entered into for two reasons: first, to secure and maintain the national security and defense of the United States in the Pacific rim and far east Asia; and second, to secure among the people of the Commonwealth the right to self-government with respect to their own internal affairs; and

Whereas, the people of the Commonwealth gave up their precious political sovereignty and some control over their lands, sea and air in order to secure and maintain the national security and defense of the United States; and

Whereas, in exchange for what the people of the Commonwealth gave up for the benefit of the United States under the Covenant, the United States agreed to extend to the Commonwealth financial assistance; agreed to assist the Commonwealth in developing its economic resources; agreed to protect the

small population of the Commonwealth from being overwhelmed by permanent immigrants from the nearby Asian countries; and extended third class US citizenship to the people of the Commonwealth; and

Whereas, first class US citizens are those who have representatives and senators in Congress and vote for the President; second class citizens are those who have only non-voting delegates to Congress; and third class citizens are those who have no representative, no senator, no vote for the president and have no voice at all in their democratic government, the United States of America; and

Whereas, the economic goal of the Commonwealth as envisioned in the Covenant was to reduce its requirement for financial assistance from the United States and to become self-reliant; and

Whereas, in order to facilitate economic development in the Commonwealth, and at the same time maintain political control among the Commonwealth people, the United States left to the Commonwealth complete control over immigration and minimum wage, and exempted the Commonwealth from the U.S. import duties; and

Whereas, as a direct result of these economic incentives, the local control of immigration and minimum wage, and the waiver of import duties, the Commonwealth's annual gross product ballooned from a mere few million dollars in 1978 when the Commonwealth Government came into being to over one billion dollars in 1997, making her the envy of other colonies and independent states in the region; and

Whereas, the Commonwealth imports U.S. products to the tune of one billion dollars per year; and

Whereas, the success story of the Commonwealth's economy, concentrated in the industries of tourism and garment manufacturing, is the result of innovative provisions in the Covenant, the effectiveness of which the United States and the Commonwealth should be proud of; and

Whereas, the economic boom in the Commonwealth resulted in the importation of a large number of temporary non-immigrant workers, as envisioned in the Covenant, to supplement its small pool of local manpower; and

Whereas, it has been the experience of developed and developing countries, including the United States, that any rapid social and demographic changes which naturally breed social and political problems; and

Whereas, in the case of the Commonwealth, the success of the garment industry is claimed by the Office of Insular Affairs to have adversely affected the textile industry in the United States, causing some first class U.S. citizens to lose their jobs, and the United States Government to lose about \$200,000,000.00 in waived import duties; and

Whereas, the Office of Insular Affairs, insinuating arrogantly that the third class US citizens of the Commonwealth should not and cannot improve their economic status at the expense of secured jobs for the first class US citizens in the United States, has embarked on a vicious campaign to destroy the garment industry in the Commonwealth by persuading the US Congress to take away control of immigration and minimum wage and end the waiver of import duties with respect to garment; and

Whereas, as part of this campaign, the Office of Insular Affairs has submitted annual reports to Congress and in these reports attempts to paint a deceptive picture of these paradise islands as being evil, governed by

abusive people, controlled by alien tycoons, and has exaggerated the social problems associated with the recent economic boom; and

Whereas, this legislature denounces the most recent report to Congress which purposely ignores major reform programs, legislative actions, improved enforcement, and the immense progress made in solving the consequential social problems associated with the recent economic boom, and instead, repeated old and inaccurate facts; and

Whereas, some members of the US Congress have complimented the Commonwealth for its economic miracle and for showcasing what free-enterprise and democracy, working hand in hand, could accomplish; and others have stated that the social problems resulting from the economic boom are local problems deserving local solutions; now, therefore

Be it resolved, by the House of Representatives, Eleventh Northern Marianas Commonwealth Legislature, that the Office of Insular Affairs is urged to be honest and sincere in its presentation of the facts about the Commonwealth to Congress and the news media; and

Be it further resolved That the Office of Insular Affairs acknowledge the tremendous benefit that the United States has received from the people of the Commonwealth through the Covenant and to show some appreciation for such gain; and

Be it further resolved That the US Congress is hereby requested to continue allowing the Commonwealth to work on its internal problems and to not take away control of immigration, but to uphold the intent and integrity of the Covenant; and

Be it further resolved, That the Speaker of the House shall certify and the House Clerk shall attest to the adoption of this resolution and thereafter transmit copies to Office of Insular Affairs, President of the United States, Speaker of the House of the US Congress, President of the US Senate, the president and governor's representatives to the 902 talks, the Honorable Pedro P. Tenorio, Governor, Commonwealth of the Northern Mariana Islands, and the Mayors of each senatorial district.

POM-27. A resolution adopted by the Senate of the Legislature of the State of New Hampshire; to the Committee on Appropriations.

RESOLUTION

Whereas, since its enactment in 1975, the Individuals with Disabilities Education Act (IDEA) has helped millions of children with special needs to receive a quality education and to develop to their full capacities; and

Whereas, the IDEA has moved children with disabilities out of institutions and into public school classrooms with their peers; and

Whereas, the IDEA has helped break down stereotypes and ignorance about people with disabilities, improving the quality of life and economic opportunity for millions of Americans; and

Whereas, when the federal government enacted the Individuals with Disabilities Education Act, it promised to fund 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, the federal government currently funds, on average, less than 9 percent of the actual cost of special education services; and

Whereas, local school districts and state government end up bearing the largest share of the cost of special education services; and

Whereas, the federal government's failure to adequately fulfill its responsibility to spe-

cial needs children undermines public support for special education and creates hardship for disabled children and their families; now, therefore, be it

Resolved by the Senate:

That the New Hampshire senate urges the President and the Congress to fund 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States as promised under the IDEA to ensure that all children, regardless of disability, receive a quality education and are treated with the dignity and respect they deserve; and

That copies of this resolution be forwarded by the senate clerk to the President of the United States, the speaker of the United States House of Representatives, the President of the United States Senate, and the members of the New Hampshire congressional delegation.

POM-28. A resolution adopted by the Senate of the Legislature of the Commonwealth of Massachusetts; to the Committee on Commerce, Science, and Transportation.

RESOLUTION

Whereas, the decision to close the Boston Regional Office of the Federal Trade Commission will have a substantial adverse effect on both consumers and small businesses in the Commonwealth of Massachusetts and New England; and

Whereas, for over 40 years the Boston Regional Office has provided a Federal Trade Commission presence in New England, enforcing consumer protection and anti-trust laws; and

Whereas, the Boston Federal Trade Commission Office receives in excess of 5,000 consumer complaints and inquiries annually which are mediated and adjusted to the satisfaction of consumers and small businesses; and

Whereas, the Boston Federal Trade Commission Office acts as a liaison for state and local consumer and regulatory agencies in the areas of credit, consumer protection and anti-trust as well as various other laws and regulations; and

Whereas, the Massachusetts consumers' coalition, whose members include representatives of the Massachusetts attorney general's office, the AARP, the National Consumer Law Center and local consumer protection offices, is charged with safeguarding the interests of consumers throughout the Commonwealth of Massachusetts and believes that closing the Boston Regional office will significantly diminish the level of consumer protection throughout the Commonwealth; now therefore be it

Resolved, that the Massachusetts Senate hereby respectfully requests the president of the United States to direct the chairman of the Federal Trade Commission to rescind his decision closing the Boston Regional Office as it is contrary to the public's interest; and be it further

Resolved, that a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to the President of the United States, the chairman of the Federal Trade Commission, the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources: